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JAMES PONIN  
CLERK**United States District Court**

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for

**Southern District of Ohio**RECEIVED  
U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
ATLANTA DIVISION  
JULY 25 2006  
RECEIVED  
U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
ATLANTA DIVISION  
JULY 25 2006**Report on Offender Under Supervision**Name of Offender: **David Butcher**Case Number: **1:01CR00055-20**Name of Sentencing Judicial Officer: **The Honorable Herman J. Weber  
United States Senior District Judge**Date of Original Sentence: **March 15, 2002**Original Offense: **Conspiracy to Distribute and to Possess with Intent to Distribute Marijuana**Original Sentence: **33 month(s) prison, 48 month(s) supervised release**Type of Supervision: **Term Of Supervised Release** Date Supervision Commenced: **October 21, 2003****NON-COMPLIANCE SUMMARY**

The offender has not complied with the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
#1	On June 23, 2006, Mr. Butcher was convicted of driving under suspension and open flask container in Adams County, Ohio. He was sentenced to 75 days in jail with 60 days suspended and placed on two years probation. He was also ordered to complete 15 hours of community service work.
#2	Mr. Butcher was ordered by the Court to pay a fine of \$1000.00. To date, he has only paid \$400.00.

## U.S. Probation Officer Action:

On March 15, 2002, Mr. Butcher appeared before the Honorable Herman J. Weber, United States Senior District Judge for the Southern District of Ohio and was sentenced to 33 months imprisonment followed by four years supervised release after having been charged with Conspiracy to Distribute and to Possess with Intent to Distribute Marijuana. As a condition of his supervised release, he was ordered to participate in substance abuse treatment at the direction of the probation officer, pay a \$1,000 fine, and a \$100 special assessment fee. Until the fine is paid in full, the defendant is prohibited from incurring new credit card charges or opening additional lines of credit and shall provide the probation officer access to any requested financial records.

On October 21, 2003, Mr. Butcher was released from Alvis House in Dayton, Ohio. While Mr. Butcher was incarcerated, he completed the 500 Hour Drug Program and continued in outpatient treatment while at the halfway house.

Since being on supervision, Mr. Butcher had problems with his ex-wife. Additionally, he was arrested on July 24, 2005 in Brown County, Ohio for Operating a Vehicle While Intoxicated, No Safety Belt, and Child Endangerment. The Court was previously notified of these charges and took no action pending disposition.

On May 2, 2006, Butcher failed to appear in court and a warrant was issued. Mr. Butcher is aware of this matter and has made several attempts to contact his attorney in Brown County to assist him with this matter, but no response has been received. This officer has also left a message for Butcher's attorney, but he has not returned this officer's phone call. According to Mr. Butcher, he never received notice to appear in court. Mr. Butcher plans on going to Brown County Municipal Court to try to rectify this matter.

Since January 2006, this officer has had difficulty locating Mr. Butcher at his residence. Several visits were made to his home and his daughters' house in Adams County. This officer finally spoke with Butcher on March 21, 2006. In talking with Butcher, he said that his daughter had given him the messages that this officer was looking for him. This officer admonished him for not contacting this officer sooner.

In talking with Butcher regarding his recent conviction for driving under suspension and open flask, Butcher stated that his driver's license remain suspended because of the pending charge in Brown County as stated above. He desperately wants to take care of the case in Brown County so that he does not get into any additional trouble for driving without a license.

Mr. Butcher has been recently residing with his brother and mother in Columbus, Ohio and is starting back to work on July 24, 2006. He will also be reporting to the U.S. Probation Office in Columbus in order to submit to urinalysis, submit his monthly reports and begin making payments toward his fine.

At this time, it is respectfully recommended that the Court take notice of the violations, but that no action be taken at this time. This officer will continue to monitor the case in Brown County and notify the Court upon disposition.

Respectfully submitted,

by

**Darla J. Huffman**

U. S. Probation Officer

Date: **July 20, 2006**

Approved,

by

**Mark R. Hawes**

Supervising U. S. Probation Officer

Date: **July 20, 2006**

- I concur with the recommendation of the Probation Officer  
 Submit a Request for Modifying the Condition or Term of Supervision  
 Submit a Request for Warrant or Summons

Signature of Judicial Officer

Date

**7/25/06**